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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

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AZ CORP COMMISSION  
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COMMISSIONERS

JEFF HATCH-MILLER, Chairman  
WILLIAM A. MUNDELL  
MIKE GLEASON  
KRISTIN K. MAYES  
GARY PIERCE

IN THE MATTER OF THE APPLICATION OF  
DESERT HILLS WATER COMPANY FOR  
APPROVAL OF TRANSFER OF ITS UTILITY  
ASSETS TO THE TOWN OF CAVE CREEK,  
PURSUANT TO A.R.S. § 40-285 AND FOR  
CANCELLATION OF ITS CC&N.

DOCKET NO. W-02124A-06-0717

PROCEDURAL ORDER

**BY THE COMMISSION:**

On November 8, 2006, Desert Hills Water Company ("DHWC") filed with the Arizona Corporation Commission ("Commission") an application to transfer its utility assets to the Town of Cave Creek, Arizona ("Town"), pursuant to A.R.S. § 40-285 and for cancellation of its Certificate of Convenience and Necessity.

On January 26, 2007, Abbryon Desert Hills, L.L.C. ("ADH") filed a Motion to Intervene. In its Motion, ADH stated that it would be directly and substantially affected by the issues addressed in this docket and that its participation would not unduly broaden those issues. No objections have been filed and accordingly, ADH's Motion to Intervene should be granted.

On February 9, 2007, DHWC filed a Motion for Extension of Time to Intervene ("Motion"). In its Motion, DHWC stated that because the public notice had to be republished, the deadline for intervention should be extended to February 27, 2007. The Motion stated that Staff agreed with the extended time for intervention.

IT IS THEREFORE ORDERED that Abbryon Desert Hills, L.L.C. is hereby granted intervention.

IT IS FURTHER ORDERED that DHWC's Motion is hereby granted and the deadline for requesting intervention is extended to February 27, 2007.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 – Unauthorized Communications) applies to this proceeding as the matter is set for public hearing.

1 IT IS FURTHER ORDERED that the presiding Administrative Law Judge may rescind, alter,  
2 amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by  
3 ruling at hearing.

4 Dated this 22<sup>nd</sup> day of February, 2007.


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7   
8 LYN FARMER  
CHIEF ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed/delivered  
10 this 22<sup>nd</sup> day of February 2007 to:

11 Jay Shapiro  
12 Patrick J. Black  
13 FENNEMORE CRAIG  
14 3003 N. Central Ave., Suite 2600  
Phoenix, Arizona 85012  
Attorneys for Desert Hills Water Co.

Ernest G. Johnson, Director  
Utilities Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington  
Phoenix, AZ 85007

15 Court S. Rich  
16 ROSE LAW GROUP, INC.  
17 6613 N. Scottsdale Rd., Suite 200  
18 Scottsdale, Arizona 85250  
Attorneys for Renaissance Partners, LLC

By:   
Debbi Person  
Secretary to Lyn Farmer

19 Garry D. Hays  
20 John M. Powers, Jr.  
21 THE HENDERSON LAW FIRM, PLC  
22 2415 E. Camelback Rd., Suite 1050  
Phoenix, AZ 85016  
Attorneys for Abbyron Desert Hills, L.L.C.

23 Marvin Cohen  
24 SACKS TIERNEY PA  
25 4250 N. Drinkwater Blvd 4<sup>th</sup>  
26 Scottsdale, AZ 85251-3693

27 Christopher Kempley, Chief Counsel  
28 Legal Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, AZ 85007